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RESOLUTION NO. 04-287

RESOLUTION OF FINDINGS OF ADVISABILITY AND RESOLUTION AUTHORIZING CONSTRUCTION OF **LATERAL 37, MAIN 1, COWSKIN INTERCEPTOR SEWER, (NORTH OF MAPLE, WEST OF MAIZE) 468-83824**, IN THE CITY OF WICHITA, KANSAS, PURSUANT TO FINDINGS OF ADVISABILITY MADE BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS.

BE IT RESOLVED BY THE GOVERNING BODY OF THE CITY OF WICHITA, KANSAS, THAT THE FOLLOWING FINDINGS AS TO THE ADVISABILITY OF THE CONSTRUCTION OF **LATERAL 37, MAIN 1, COWSKIN INTERCEPTOR SEWER, (NORTH OF MAPLE, WEST OF MAIZE) 468-83824**, IN THE CITY OF WICHITA, KANSAS, ARE HEREBY MADE TO-WIT:

SECTION 1. That it is necessary and in the public interest to construct **Lateral 37, Main 1, Cowskin Interceptor Sewer, (north of Maple, west of Maize) 468-83824**.

Said sanitary sewer shall be constructed of the material in accordance with plans and specifications provided by the City Engineer.

SECTION 2. That the cost of said improvements provided for in Section 1 hereof is estimated to be **Twelve Thousand Dollars (\$12,000)** exclusive of the cost of interest on borrowed money, with **100** percent payable by the improvement district. Said estimated cost as above set forth is hereby increased at the pro-rata rate of 1 percent per month from and after **August 30, 2004**, exclusive of the costs of temporary financing.

SECTION 3. That all costs of said improvements attributable to the improvement district, when ascertained, shall be assessed against the land lying within the improvement district described as follows:

Lot 3, Block 20, **Oak Cliff Estates Addition**, Wichita, Sedgwick County, Kansas; EXCEPT, the east 245 feet of the south 163 feet of said Lot 3 and EXCEPT, the north 127 feet of the south 290 feet of the east 75 feet and, EXCEPT, the south 225.5 feet of the west 178 feet of said Lot 3 and, EXCEPT, the south 225.5 feet of the east 111.75 feet of the west 289.75 feet of said Lot 3.

SECTION 4. That the method of apportioning all costs of said improvements attributable to the improvement district to the owners of land liable for assessment therefore shall be on a **fractional** basis.

Lot 3, Block 20, Oak Cliff Estates Addition, Wichita, Sedgwick County, Kansas; EXCEPT, the north 339.5 feet of the west 178 feet of said Lot 3 and, EXCEPT, the east 245 feet of the south 163 feet of said Lot 3 and EXCEPT, the north 127 feet of the south 290 feet of the east 75 feet and, EXCEPT, the south 225.5 feet of the west 178 feet of said Lot 3 and, EXCEPT, the south 225.5 feet of the east 111.75 feet of the west 289.75

feet of said Lot 3 shall pay 2/3 of the improvement costs.

The North 339.5 feet of the West 178 feet of Lot 3, Block 20, Oak Cliff Estates Addition, Wichita, Sedgwick County, Kansas shall pay 1/3 of the improvement costs.

Where the ownership of a single lot is or may be divided into two or more parcels, the assessment to the lot so divided shall be assessed to each ownership or parcel on a square foot basis.

SECTION 5. That payment of said assessments may indefinitely be deferred as against those property owners eligible for such deferral available through the Special Assessment Deferral Program.

SECTION 6. That the City Engineer shall prepare plans and specifications for said improvement and a preliminary estimate of cost therefore, which plans, specifications, and a preliminary estimate of cost shall be presented to this Body for its approval.

SECTION 7. Whereas, the Governing Body of the City, upon examination thereof, considered, found and determined the Petition to be sufficient, having been signed by the owners of record, whether resident or not, of more than Fifty Percent (50%) of the property liable for assessment for the costs of the improvement requested thereby; the advisability of the improvements set forth above is hereby established as authorized by K.S.A. 12-6a01 et seq., as amended.

SECTION 8. Be it further resolved that the above described improvement is hereby authorized and declared to be necessary in accordance with the findings of the Governing Body as set out in this resolution.

SECTION 9. That the City Clerk shall make proper publication of this resolution, which shall be published once in the official City paper and which shall be effective from and after said publication.

ADOPTED at Wichita, Kansas, this 8th day of June, 2004.

CARLOS MAYANS, MAYOR

ATTEST:

KAREN SUBLETT, CITY CLERK

(SEAL)